

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Albert Russo CN 4853 Trenton, NJ 08650 (609) 587-6888 Standing Chapter 13 Trustee	
In re:	Case No. 19-23697 / MBK
Derek Bernard Battle	Hearing Date: September 11, 2019 10:00 am
Debtor(s)	Judge: Michael B. Kaplan Chapter: 13

TRUSTEE'S OBJECTION TO DEBTOR(S) CHAPTER 13 PLAN and
TRUSTEE'S OBJECTION TO DEBTOR(S) CLAIM OF EXEMPTIONS

Albert Russo, Standing Chapter 13 Trustee, objects to the Debtor(s) Plan for the following reason(s):

The debtor has failed to supply the Trustee with the following document(s):

A current market analysis

The debtor has undertaken an improper use of exemption. Specifically: The debtor has exceeded the available exemption in 522(d)(2).

**The debtor(s) plan consists of unnecessary or excessive expense items, such as:
Schedule J: \$400 telephone/cell/Internet/cable, \$500 childcare (need proof);
\$366/\$659/\$233 for 3 vehicles, \$750 DSO payment (need proof).**

Form 122c: expense taken for 2 vehicles, \$1,250 childcare (need proof), \$400 optional telephone.

The debtor(s) is not paying all disposable income into the plan pursuant to either Schedules I & J or Form 22C based upon the Trustee's review of the income and tax returns provided. The Trustee's calculations are higher for the following reason(s): Income documentation provided verifies higher (\$7,306) than scheduled (\$6,498).

The Schedules fail to account for the debtor(s) tax refund in the amount of \$1,371 when determining disposable income.

The current Plan does not specify treatment of IRS priority claim under the Plan.

WHEREFORE, Standing Chapter 13 Trustee, Albert Russo, objects to confirmation of the plan.

/s/ Albert Russo

Albert Russo

Standing Chapter 13 Trustee

by: David Martin, Staff Attorney